



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 880**

March 13, 1996 – Offered by COMMITTEE ON ENVIRONMENT AND UTILITIES.

1 **AN ACT to repeal** 15.435 (2), 20.255 (2) (t), 20.370 (5) (cw), 25.17 (1) (ag), 25.28,
2 70.395 (1g) and 70.395 (1m); **to amend** 20.566 (7) (v), 70.375 (6), 70.395 (1) (b)
3 and 70.395 (2) (g) (intro.); **to create** 20.143 (1) (if), 20.143 (1) (ig), 20.143 (1) (tc),
4 20.143 (1) (v), 20.255 (2) (ta), 560.06 and 560.13 of the statutes; and **to affect**
5 1995 Wisconsin Act 27, section 9248 (2x); **relating to:** discontinuing the badger
6 board and the badger fund, creating a mining economic development grant and
7 loan program and a recreational grant program, granting rule-making
8 authority and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

9 **SECTION 1.** 15.435 (2) of the statutes, as affected by 1995 Wisconsin Act 27, is
10 repealed.

11 **SECTION 2.** 20.143 (1) (if) of the statutes is created to read:

12 20.143 (1) (if) *Mining economic development grants and loans; repayments.* All
13 moneys received in repayment of grants or loans under s. 560.13 to be used for grants
14 and loans under s. 560.13.

1 **SECTION 3.** 20.143 (1) (ig) of the statutes is created to read:

2 20.143 (1) (ig) *Mining economic development grants and loans.* All moneys
3 received under s. 70.395 (1) (b) for mining economic development grants and loans
4 under s. 560.13.

5 **SECTION 4.** 20.143 (1) (tc) of the statutes is created to read:

6 20.143 (1) (tc) *Mining economic development; investment and local impact*
7 *fund.* From the investment and local impact fund, a sum sufficient equal to the
8 amount transferred to the fund under 1995 Wisconsin Act (this act), section 20 (1)
9 for mining economic development grants and loans under s. 560.13.

10 **SECTION 5.** 20.143 (1) (v) of the statutes is created to read:

11 20.143 (1) (v) *Recreation grants; investment and local impact fund.* Beginning
12 in fiscal year 1996-97, from the investment and local impact fund, a sum sufficient
13 equal to 20% of the interest earned by the fund to be used for grants under s. 560.06.

14 **SECTION 6.** 20.255 (2) (t) of the statutes is repealed.

15 **SECTION 7.** 20.255 (2) (ta) of the statutes is created to read:

16 20.255 (2) (ta) *School aids from the investment and local impact fund.*
17 Beginning in fiscal year 1996-97, from the investment and local impact fund, a sum
18 sufficient equal to 20% of the interest earned by the fund for the payment of
19 educational aids provided under ss. 121.08 and 121.09.

20 **SECTION 8.** 20.370 (5) (cw) of the statutes, as affected by 1995 Wisconsin Act
21 27, is repealed.

22 **SECTION 9.** 20.566 (7) (v) of the statutes is amended to read:

23 20.566 (7) (v) *Investment and local impact fund.* From the investment and local
24 impact fund, all moneys received under s. 70.395 (1) (a), ~~(1g) (b)~~ and (2) (dc) and (dg),

1 less the moneys appropriated under s. ss. 20.143 (1) (v), 20.255 (2) (ta) and 20.370
2 (2) (gr), to be disbursed under ss. 70.395 (2) (d) to (g), 144.855 (5) (a) and 144.838 (4).

3 **SECTION 10.** 25.17 (1) (ag) of the statutes is repealed.

4 **SECTION 11.** 25.28 of the statutes is repealed.

5 **SECTION 12.** 70.375 (6) of the statutes is amended to read:

6 70.375 (6) INDEXING. ~~For calendar year 1983 and corresponding fiscal years and~~
7 ~~thereafter, the~~ The dollar amounts in sub. (5) and s. 70.395 (1), ~~(1m)~~ and (2) (d) 1m.
8 and 5. a. and ~~(2)~~ (dg) shall be changed to reflect the percentage change between the
9 gross national product deflator for June of the current year and the gross national
10 product deflator for June of the previous year, as determined by the U.S. department
11 of commerce as of December 30 of the year for which the taxes are due, except that
12 no annual increase may be more than 10%. The revised amounts shall be rounded
13 to the nearest whole number divisible by 100 and shall not be reduced below the
14 amounts under sub. (5) on November 28, 1981. Annually, the department shall adopt
15 any changes in dollar amounts required under this subsection and incorporate them
16 into the appropriate tax forms.

17 **SECTION 13.** 70.395 (1) (b) of the statutes is amended to read:

18 70.395 (1) (b) After the transfers under par. (a), the undistributed portion of
19 the amount of taxes collected under ss. 70.38 to 70.39 in respect to mines not in
20 operation on November 28, 1981, shall be deposited to the badger fund under s. ~~25.28~~
21 credited to the appropriation under s. 20.143 (1) (ig).

22 **SECTION 14.** 70.395 (1g) of the statutes is repealed.

23 **SECTION 15.** 70.395 (1m) of the statutes is repealed.

24 **SECTION 16.** 70.395 (2) (g) (intro.) of the statutes is amended to read:

1 70.395 (2) (g) (intro.) The board may distribute the revenues received under
2 ~~subs. sub. (1) (a) and (1g) (b)~~ or proceeds thereof in accordance with par. (h) for the
3 following purposes, as the board determines necessary:

4 **SECTION 17.** 560.06 of the statutes is created to read:

5 **560.06 Grants for recreation.** From the appropriation under s. 20.143 (1)
6 (v), the department may make grants to cities, towns, villages and counties that
7 apply for the grants. Grants may be made for capital costs, but not operating or
8 maintenance costs, for recreational facilities, including picnic and camping grounds,
9 hiking trails, trail-side campsites and shelters, cross-country ski trails, bridle
10 trails, nature trails, snowmobile trails and areas, beaches and bath houses, toilets,
11 shelters, wells and pumps, fireplaces, tennis courts, softball diamonds, baseball
12 diamonds, soccer fields, playgrounds and playground equipment and for purchases
13 of land for any of these purposes. The department shall promulgate rules
14 establishing the criteria under which the grants may be made. The department may
15 not promulgate rules that, for the purpose of making grants, take into account the
16 equalized valuation of, or any income data relative to, the city, village, town or county
17 that applies for a grant.

18 **SECTION 18.** 560.13 of the statutes is created to read:

19 **560.13 Mining economic development grants and loans.** (1) In this
20 section:

21 (a) “Area affected by mining” means any of the following:

22 1. An area in which public and private infrastructure are provided to support
23 mining activity.

24 2. An area in which public funds are expended for costs associated with mining
25 activity.

1 3. An area in which economic diversification is necessary to reduce economic
2 harm resulting from the cessation of mining activities.

3 (b) "Mining" means metallic mineral mining.

4 **(2)** (a) Subject to pars. (b) and (c), the department may award a grant or loan
5 to an eligible recipient to finance costs associated with the establishment or
6 expansion of a business in an area affected by mining.

7 (b) The department may not award a grant or loan under par. (a) unless the
8 business to be established or expanded with the proceeds is not solely dependent on
9 mining activity and the department determines that the business will likely provide
10 stable, long-term employment opportunities after the cessation of the mining
11 activity.

12 (c) The department may not make more than one award per year under par. (a)
13 to the same eligible recipient.

14 **(3)** The department shall promulgate rules related to eligibility for a grant or
15 loan under this section, maximum grant and loan amounts that may be awarded,
16 repayment requirements, reporting requirements and any other matters necessary
17 for the administration of the program under this section.

18 **(4)** Notwithstanding subs. (1) (a) and (2) (a) and (b), in 1996 the department
19 may award, and shall give first priority for, a grant or loan under this section to a
20 county if all of the following apply:

21 (a) The county applies for a grant or loan under this section.

22 (b) The grant or loan does not exceed \$1,000,000.

23 (c) Mining activity is proposed in the county or in a neighboring county with
24 which the county applying for a grant or loan has a common boundary line.

1 (d) No permit has been issued under s. 144.85 on or before the effective date
2 of this paragraph [revisor inserts date], authorizing mining activity in the county
3 or in the neighboring county under par. (c).

4 **SECTION 19.** 1995 Wisconsin Act 27, section 9248 (2x) is repealed.

5 **SECTION 20. Nonstatutory provisions.**

6 (1) **BADGER FUND LAPSE.** On the effective date of this subsection, there is
7 transferred to the fund under section 70.395 (2) of the statutes the balance in the
8 fund under section 25.28 of the statutes.

9 (2) **RULES SUBMISSION.**

10 (a) *Mining grants.* The department of development shall submit in proposed
11 form the rules required under section 560.13 (3) of the statutes, as created by this
12 act, to the legislative council staff under section 227.15 (1) of the statutes no later
13 than the first day of the 7th month beginning after the effective date of this
14 subsection.

15 (b) *Recreation grants.* The department of development shall submit in
16 proposed form the rules required under section 560.06 of the statutes, as created by
17 this act, to the legislative council staff under section 227.15 (1) of the statutes no later
18 than the first day of the 7th month beginning after the effective date of this
19 subsection.

20 **(END)**